

22-CN-986-PX

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND OF
GREENBELT DIVISION

FILED
LOGGED *re* ENTERED
RECEIVED
AUG 18 2022
AT GREENBELT
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

VALERIE ARROYO & TROY LOPEZ, JR

Plaintiff(s)

V.

DET, MITCHELL FILGES, OFFICER
CROUSE, OFFICER ST. CLAIRE, CHIEF
OF POLICE, PAULJ KIFER, HAGERSTOWN
POLICE DEPT, BENJAMIN LYNCH, CITY
OF HAGERSTOWN POLICE DEPARTMENT DEPT.
WASHINGTON COUNTY STATE ATTORNEY
CHARLES P STRONG, LEON M. DEBES,
SARAH MOLLET-GARNER, WASHINGTON
COUNTY COMMISSIONER, TOM HULL,
JUSTIN CROSS, CITY OF HAGERSTOWN,
MAYOR BOB BRUCHEY, WASHINGTON
COUNTY CORRECTION OFFICER GROVES,
KURTEA SUMLIN, ISIAH L NORRIS,
BRIAN E. FROSH, ATTORNEY GENERAL,
STATE OF MARYLAND, HERALD MAIL MEDIA
DONALD AINES, DANIEL P DWYER,

Defendants

AMENDED CIVIL COMPLAINT

DEMAND FOR JURY TRIAL

This sworn amended complaint consist of violation of civil and federal rights pursuing to 42 U.S.C. § 1981, et seq., failure to protect and serve all citizens equally and fairly without any abuse of its discretions, discrimination, conflict of interest, racial injustice, special treatment and with prejudice. Malicious prosecutions, false statement, false arrest, false imprisonment, false

allegations, reckless endangerment, and endangerment to an unlawful confined inmate. Defamation, slander and libel, failure to act, abide, comply, conduct, enforce, investigate, protect, and treat all citizen equal, fair, freedom of press pursuing to the United States Constitution.

All of these individuals named in this complaint appointed, elected, contracted, hired, licensed, and considered public employees or officials of the State of Maryland, while acting in his or her official capacity. His or her act, conduct and perform considered egregiously, grossly, knowingly, intentionally, maliciously, vindictive, willful and wanton negligence pursuing to State of Maryland Tort Claim Act.

Both Plaintiff(s) civil and federal rights been violated by several City of Hagerstown Police Department, Washington County and State of Maryland public officials during several criminal and civil judicial proceedings. Pursuing under the civil and federal rights violation, personal injury, and State of Maryland Tort Claim Act

PARTIES

First Plaintiff Valerie Arroyo, the mother of Troy M Lopez, Jr, a private citizen of the State of North Carolina, P. O. Box 5579, Concord NC 28027, Phone# 704-506-1526, Email: onelovecommunitycenter@gmail.com, Personal capacity

Second Plaintiff Troy M. Lopez, Jr, a private citizen of Washington County, 61 East Franklin Street, Apt. # 2, Hagerstown, MD 21740, Phone# 240-520-5683, Email: onleovecommunitycenter@gmail.com, Personal Capacity

First Defendant

First Defendant State of Maryland, Brian E. Frosh, Attorney General, of the State of Maryland, 200 St. Paul Place, Baltimore MD 21202, Phone# 410-576-6300, in his Official and Personal Capacity

Second Defendant Detective Mitchell Filges, Police Law Enforcement Officer of the City of Hagerstown Police Department, 50 N. Burhan Blvd, Hagerstown MD 21740, Phone# 301-790-3700, in his Official and Personal Capacity

Third Defendant Officer Crouse, Police Law Enforcement Officer of the City of Hagerstown Police Department, 50 N. Burhan Blvd, Hagerstown MD 21740, Phone# 301-790-3700, in his Official and Personal Capacity

Fourth Defendant Officer St. Claire, Police Law Enforcement Officer of the City of Hagerstown Police Department, 50 N. Burhan Blvd, Hagerstown MD 21740, Phone# 301-790-3700, in his Official and Personal Capacity

Fifth Defendant Chief Paul J. Kife, the Chief and Commander of the City of Hagerstown Police Department, 50 N. Burhan Blvd, Hagerstown MD 21740, Phone# 301-790-3700, in his Official and Personal Capacity

Sixth Defendant Benjamin Lynch, Internal Affairs Investigator of the City of Hagerstown Police Department, 50 N. Burhan Blvd, Hagerstown MD 21740, Phone# 301-790-3700, in his Official and Personal Capacity

Seventh Defendant Charles P. Strong, Jr, Deputy State Attorney, of the Washington County State Attorney Office, 33 W. Washington Street, Ste. 302, Hagerstown MD 21740, Phone# 240-313-2000, in his Official and Personal Capacity

Eighth Defendant Leon M. Debes, State Attorney, of the of the Washington County State Attorney Office, 33 W. Washington Street, Ste. 302, Hagerstown MD 21740, Phone# 240-313-2000, in his Official and Personal Capacity

Ninth Defendant Sarah Mollet-Garner State Attorney, of the of the Washington County State Attorney Office, 33 W. Washington Street, Ste. 302, Hagerstown MD 21740, Phone# 240-313-2000, in her Official and Personal Capacity

Tenth Defendant Tom Hull, Commissioner of Washington County, a State and Public Official with the State of Maryland, , 100 W. Washington Street, Ste. 226, Hagerstown MD 21740, Phone# 240-313-2200, in his Official and Personal Capacity

Eleventh Defendant Justin Cross Commissioner of Washington County, a State and Public Official with the State of Maryland, 100 W. Washington Street, Ste. 226, Hagerstown MD 21740, Phone# 240-313-2200, in his Official and Personal Capacity

Twelfth Defendant, Robert E. Bruchey, Mayor and City County of the City of Hagerstown, City Hall 1 E. Franklin Street, Hagerstown, MD 21740, Phone# 301-739-8577, in its Official and Personal Capacity

Thirteen Defendant Correction Officer Groves, of the Washington County Sheriff & Detention Center, 500 Western Maryland Parkway, Hagerstown, MD 21740, Phone# 240-313-2100, in its Official and Personal Capacity

Fourteen Defendant Kurtena Shaunte- Nicole. Sumlin, a private citizen of the Washington County, State of Maryland, 253 Frederick St, Apt# 2 , Hagerstown, MD 21740, Phone# 240-392-9513, in her Personal Capacity

Fifteen Defendant, Isiah L. Norris, a private citizen of the Washington County, State of Maryland, 253 Frederick St. Apt# 2, Hagerstown, MD 21740, in his Personal Capacity

Sixteen Defendant Former Judge Kenneth M Long, Washington County Circuit Court, 24 Summit Avenue, Hagerstown MD 21740 in his Official and Personal Capacity

Eighteen Defendant Donald Aines, Reporter, the Herald Mail Newspaper and Media, 100 Summit Avenue, Hagerstown, MD 21740, Phone# 301-733-5131, in his Official and Personal Capacity

Nineteen Defendant Judge Daniel P. Dwyer, 24 Summit Avenue, Hagerstown, MD 21740, Phone# 301-733-8660, in his Official and Personal Capacity

Twenty Defendant County of Washington Board, Jeffrey A. Cline, 100 Washington St, Ste. # 226, Hagerstown, MD 21740, Phone# 240-313-2200, in its Official Capacity

JURISDICTION AND VENUE

This court has exclusive jurisdiction over this matter pursuing to 28 U.S. C. § 1332, diversity of citizenship, Plaintiff Valerie Arroyo residents of the State of North Carolina, and Plaintiff Troy Lopez, Jr resident of the State of Maryland
All of the Defendant(s) are citizens of the Washington County in the State of Maryland

CIVIL & FEDERAL RIGHTS VIOLATION

STATEMENT OF CLAIM

1. In 2015, there were false allegations against Troy Lopez, Jr by an ex female friend, during that case, it was proven that female friend committed perjury to get Mr. Lopez, Jr arrested and cause him harm. Mr. Lopez Jr took a plea agreement to get out of jail after serving over a year and half. Pursuing to the plea agreement all false sexual criminal charges dismissed, time served on assault and probation. According to court documentations and records shows not all of those sexual criminal charges dismissed, but instead nolle

prosecui, which allows the State Attorney to bring those or similar charge back within three (3) years.

2. In November 2018, pursuing to the bodycam Detective Fliges, Officer Crouse, Kurtena Sumlin and Isiah Noriss shows conspires with false allegations of rape, Plaintiff Lopez, Jr arrested without any probable cause. Charges consist with first, second-degree rape, assault second degree, sex offense third degree, sex offense fourth degree sex contact and reckless endangerment, held without bail and facing 25 years to life prison sentence.

On the morning of Thanksgiving in November 2018, Plaintiff Arroyo receives a phone call from the Washington County Detention Center informing her son Troy Lopez, Jr was attack by several other inmates due to one of their Correction Officer Groves inform other inmates Plaintiff Lopez, Jr charges with rape. Plaintiff Lopez, Jr placed in solitary confinement for his safety, after receiving medical attention, he suffers from high blood pressure and all this due to Correction officer Grooves actions were egregious intentional knowingly malicious and vindictive.

3. In September 2019, during the criminal judicial proceedings there preponderance of evidence showing and proving Plaintiff Lopez, Jr civil and federal rights violated by individuals who are employed with the City of Hagerstown Police Department, Washington County State Attorney, Washington County Court Administration and the State of Maryland.

During the criminal judicial proceedings the bodycam video, 911 and dispatching calls and testimony by court certify documentation,

records and transcripts shows several individuals of the City of Hagerstown Police Department, Washington County State Attorney, Washington County Commissioners, Washington County Judicial and Public Officials failure to provide protection, serve and treatment all citizens equally and fairly. Failure to act, conduct and perform in good faith, with honesty and integrity without any discrimination or racial injustice, while acting in his or her official capacity.

MARYLAND TORT CLAIM ACT

STATEMENT OF CLAIM

4. During the criminal judicial proceedings, court records and transcripts shows and prove testimony by Detective Fliges and Officer Crouse in bad faith. Kurtena Sumlin and Isiah Noriss conspires with law enforcement, state attorney and Judges knowingly intentional malicious and vindictive to bring false sexual charges, false arrest and false imprisonment to destroy his life, Plaintiff Lopez, Jr faces 25 to life sentence.

5. Plaintiff Arroyo obtain sworn power of attorney on behalf her son Plaintiff Lopez, Jr during his imprisonment. Plaintiff Arroyo paid for bodycam, file several complaints with Mayor, State Attorney, County Commissioner, State police and all local legislators to bring awareness of obstruction of justice and evidence proven Plaintiff Lopez, Jr innocence.

Plaintiff Arroyo suffered emotional and mental duress, due to the odds of her black son surviving severe criminal set up and racial injustice by City or County. City of Hagerstown Police law

enforcement, Washington County State Attorneys, commissioners, employees, judicial and public officials who appointed, agents, contract, employee, hire, license to protect, serve and treat all citizens equal and fair without violating any citizen's civil and federal rights, while acting in his or her official capacity. All of these agencies, its employees and individuals fail both Plaintiff(s). No parent should be have to suffer with any type of fear for her son's life due to a woman's scorn or due to Judges want to put Plaintiff Lopez. Jr await for many years, but never had any evidence to do so.

6. Pursuing to the sworn probable cause complaint file by Detective Fliges, with the approval by Chief Paul Kiefe, and Benjamin Lynch, the investigator with Internal Affairs of the City of Hagerstown Police Department fail to provide a proper and valid investigation in this matter. Bodycam, 911 and dispatch shows the allegations in complaint false, shows conspiracy criminal and civil, misleading Kurtena Sumlin false allegations and showing aggressive and excessive force, using aggressive profanity language, and refuse to disclose the charges to Plaintiff Lopez, Jr before arresting and detaining him in police custody.

7. Plaintiff Arroyo files complaint with State of Maryland State Attorney Office, Brian E. Frosh, in Baltimore MD against Washington County State Attorney General against Charles P. Strong, Jr, Leon M Debes and Sarah Mollet-Garner for failure to act, in good faith, failure to provide equal fair due process, protection and treatment to all citizens under the U.S. Constitution. Defendant Charles P. Strong, Jr. and Leon M. Debes were on the prosecutors on the previous case in

2015. Defendant Sarah Mollet-Gardner knowingly intentional vindictively prosecute the 2018 case without any probable cause, witnesses and police officers committed perjury, the bodycam, 911 and dispatch call shows conspiracy, but continues to prosecute and demand held without bail, which violates Plaintiff's Lopez civil and federal right to bond. There evidence of other white inmates receive bail opportunity who murdered children or people, but not Plaintiff Lopez, Jr who resides in City of Hagerstown for over 25 years.

8. Plaintiff Arroyo files complaint with the Board of Washington County Commissioner against Tom Hull and Justice Cross, both Commissioner signed approval domestic or criminal documents denying any bail knowing these charges were false and are the same commissioner in 2015 case.

9. Plaintiff Arroyo files complaint with former Mayor Robert Bruchey, City of Hagerstown in reference to the police department filing false allegations against an innocent black citizen, this Mayor fails to act, conduct or provide protection, treatment or request an investigation in the best interest of citizens.

10. In 2015 and 2018, Defendant former Judge Kenneth M. Long presides over both cases, court documents, record and transcripts shows this Judge fails to dismiss the sexual charges in 2015 according to plea agreement, but after Plaintiff gets release, Judge order sexual charges nolle prosequi. Probation court documentation basic on sexual charges that were order dismissal, but instead nolle prosequi without any disclosure to Plaintiff Lopez.

In 2018, same Judge Long signs warrant, presides over domestic cases, and criminal case denies bail against Plaintiff Lopez, Jr, show prejudices, conflict of interest, abuse its discretion, which deprives Plaintiff's civil and federal rights. In 2017, Judge Daniel P Dwyer allows this Judge to retire instead of reporting his acts, which violates Plaintiff Lopez, Jr civil and federal rights, and allow Plaintiff(s) to be able to seek accountable, justice, liable and relief pursuing to rule of law.

11. Defendant Daniel P Dwyer, Court of Administrative Judge presides over criminal case involving Plaintiff Lopez, Jr, denies both Plaintiff(s) sworn civil complaint with demand for jury trial without providing equal and fair due process, protection, treatment while acting in his official capacity, which violates is oath under the United States Constitution. In 2021, Daniel P Dwyer retired on November 01, 2021 without any transparency in the best interest of public, or without any of Plaintiff(s) involved in any administrative hearing pursuing to victim's right by the State of Maryland Judicial Commissioner.

12. Defendant Donald Aines, a reporter with Herald Mail Media of Hagerstown who fails and refuse to provide freedom of the press or speech by Plaintiff Arroyo. Defendant Aines refuse to allow Plaintiff Arroyo the opportunity to comment, response or freedom of press when it comes to reporting this false complaint on the internet, paper, and refuse to report the truth, the facts of perjury by both witnesses, police officer, Detective, the bodycam, 911 and dispatch call during the criminal judicial proceedings.

13. Defendant Washington County Commissioner Jeffery A Cline has a duty, responsible to all citizens to be protect, serve, and treated equal fairly, and all individuals who appointed, elected, contract, hired, or license and public employees or official took an oath prior entering into his or her official capacity to uphold the United States Constitution. Plaintiff files complaint with this agency, this agency fails to act, uphold its mission and vision to serve all citizens, which they fail these citizens.

14. In 2020, both Plaintiff(s) files sworn civil complaint against all individuals in the State Courts, all of the individuals allowed to retire without being held accountable or liable during any administrative including or involving any of the Plaintiff(s), failure to expunged all criminal charges from all court record, media, newspaper or internet, social media. State of Maryland refuse to bring any criminal charges against these woman for filing false criminal rape charges against an innocent black man, just to destroy his future, or for their own personal gain or woman scorn.

15. During both of these criminal and all of the civil judicial proceeding in the State of Maryland, shows the preponderance of evidence proves civil, federal and racial injustice and violations by several appointed, elected, contracted, hired, judicial, license, and public officials fails to act, conduct, comply, enforce, perform, protect, serve, treat and uphold the Act of Congress, executive, federal , government, state, regulation, ordinance and statutory laws

16. Plaintiff Troy Lopez, Jr suffered severe emotional and mental

Distress, which he attends counseling and see a therapist to deal with his every day struggles of individuals who still identify with those charges, despite the not guilty verdict by a jury. The odds of an innocent black man going through these same criminal charges of rape or sexual charges twice by the same State attorneys, Public Defender and Judges within three (3) years of nolle prosequi is not a coincidence. Plaintiff Lopez, Jr have not receive any decent job opportunities due to these criminal charges, a decent resident without any higher security deposit, due to criminal charges reported to apartment complex.

17. Plaintiff Arroyo has suffer emotional, mental and financial duress due to these two (2) criminal cases against Plaintiff Lopez, Plaintiff Lopez is the elder son of six children, there is three (3) sons and three (3) daughters and the second oldest child of Plaintiff Arroyo.

Plaintiff Arroyo has dealt with the worst nightmare most of life, for several years the City of Hagerstown and Washington County has tried to send her son away since Plaintiff Lopez was in high school. Plaintiff Lopez father is a retired police officer from New York City, so our children taught to cooperate and ask for an attorney. Bodycam shows excessive force, vague language and Detective Fliges personal gain or conflict of interest in this matter, due to his relationship with Cartena Sumlin, which is Kurtena Sumlin's mother.

WHEREFORE, Plaintiff(s) pray for this Court as follows:

1. Enter an order for judgment favor of both of the Plaintiff(s) against all of these Defendant(s) in its entirety

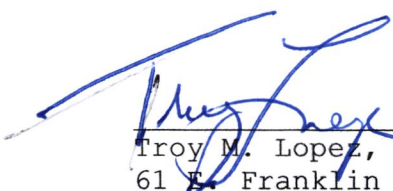
2. Enter an order to have all of the Plaintiff Troy M. Lopez, Jr criminal background cleared in its entirety of any criminal charges in regarding to all sexual offenses, assault and reckless endangerment charges from 2015 through 2020;
3. Enter an order to have all criminal history remove from all video, computer, media and social media websites against Plaintiff Troy M Lopez, Jr
4. Enter an order requesting an independence civil and federal investigation for any corruption, racial injustice and discrimination by the City of Hagerstown, Washington County Commissioner, Washington County State Attorney office, State of Maryland Judicial Court of Administration and Judicial Commissioner and Maryland State Bar for failure to provide equal and fair protection, serve and treatment towards all citizens.
5. Enter an order for sanctions, disciplinary hearing against all individuals who commit criminal acts pursuing to rule of law
6. Enter an order for monetary relief judgment in the amount exceeds over 325 million in the remedy for all of the claims of the relief stated in its entirety in favor of Plaintiff Lopez, Jr,
7. Enter an order for monetary relief judgment for mental counseling and therapy 1 million in favor of Plaintiff Lopez, Jr.
8. Enter an order for monetary relief of judgment in the amount for 1 million as a remedy for all of the claims of emotional, mental and financial duress in favor of the Plaintiff Arroyo

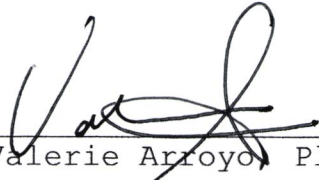
9. Enter an order taxed against the Defendant(s) for court cost and fees

10. Enter an order taxing Defendant for any attorney fees on behalf of the Plaintiff(s)

11. Any other relief this court finds deem just and proper

Respectfully submit on the 16th day of August 2022


Troy M. Lopez, Jr., Plaintiff
61 E. Franklin Street, Apt# 2
Hagerstown, MD 21740
Phone#240-520-5683


Valerie Arroyo, Plaintiff
P.O. Box 5579
Concord NC 28027
Phone#704-506-1526

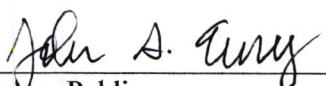
JOHN S EURY
NOTARY PUBLIC
CABARRUS COUNTY
STATE OF NORTH CAROLINA

STATE OF NORTH CAROLINA

COUNTY OF CABARRUS

Sworn to and subscribed before me, this

The 16th day of August, 2022.


Notary Public

My Commission Expires: JANUARY 1, 2025

CERTIFICATION OF SERVICE

I hereby certify that a copy of the foregoing Amend Civil Complaint, served to all of the Defendants, by publication or first class mail through the United States of America, once the clerk of court issue the summons

Washington County State Attorney Office

33 W. Washington Street

Hagerstown MD 21740

As Defendants

&

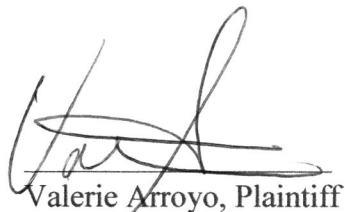
Maryland Attorney General Office

200 St Place Street

Baltimore MD 21202

As Defendant

This 16th day of August 2022

A handwritten signature in black ink, appearing to read 'Valerie Arroyo', is written over a horizontal line.

Valerie Arroyo, Plaintiff

P. O. Box 5579

Concord NC 28027

Phone#704-506-1526

Email: onelovecommunitycenter@gmail.com